

Bonnie Lowenthal, Vice Mayor, 1st District  
Suja Lowenthal, 2nd District  
Gary DeLong, 3rd District  
Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District  
Vacant, 6th District  
Tonia Reyes Uranga, 7th District  
Rae Gabelich, 8th District  
Val Lerch, 9th District

Gerald R. Miller, City Manager  
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

**- REVISED -**  
**CITY COUNCIL SUPPLEMENTAL AGENDA**  
**FOR MEETING OF APRIL 3, 2007**

This Supplemental Agenda contains corrections and additions, which were posted more than 72 hours in advance of the above meeting date.

**CONSENT CALENDAR:**

9. 07-0378

**REQUEST:**

The City Attorney requests distribution of revised staff report.  
Recommended action remains the same.

Recommendation to adopt resolution setting forth the City Council's position in regard to the reformulation of the Southern California Regional Airport Authority (SCRAA). (Citywide)

**Office or Department:** CITY ATTORNEY

**Suggested Action:** Approve recommendation.



OFFICE OF THE CITY ATTORNEY  
Long Beach, California

C-9

ROBERT E. SHANNON  
City Attorney

HEATHER A. MAHOOD  
Chief Assistant City Attorney

MICHAEL J. MAIS  
Assistant City Attorney

PRINCIPAL DEPUTIES

Barbara D. de Jong  
Dominic Holzhaus  
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DEPUTIES

Gary J. Anderson  
Richard F. Anthony  
Christina L. Checel  
Alysha P. Choi  
Lori A. Conway  
Randall C. Fudge  
Charles M. Gale  
Monte H. Machit  
Anne C. Lattime  
Lisa Peskay Malmsten  
Barry M. Meyers  
Cristyl Meyers  
Howard D. Russell  
Tiffani L. Shin

April 3, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Recommendation to adopt resolution setting forth the City's position in regard to the reformulation of the Southern California Regional Airport Authority (SCRAA)

DISCUSSION

Pursuant to your request of March 20, 2007, this office has prepared and submits the above-described resolution for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By

  
MICHAEL J. MAIS  
Assistant City Attorney

MJM:kjm

Enclosure

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## RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH SETTING FORTH ITS POSITION IN  
REGARD TO THE REFORMULATION OF THE SOUTHERN  
CALIFORNIA REGIONAL AIRPORT AUTHORITY (SCRAA)

WHEREAS, the Southern California Regional Airport Authority ("SCRAA")  
was organized in 1985 pursuant to a Joint Powers Agreement ("JPA") executed by the  
City of Los Angeles and the counties of Los Angeles, Riverside, and San Bernardino,  
for the stated purpose of forming a regional airport authority to acquire, construct,  
operate, repair, maintain and administer airports and related facilities and services in  
the Southern California Region; and

WHEREAS, the SCRAA JPA was amended in 1992 so as to include the  
County of Orange as a participating JPA member; and

WHEREAS, from 1985 to 1992, the mission of SCRAA focused primarily  
upon regional airport planning and as an informational forum, completing several  
regional airport feasibility and market share allocation studies in cooperation with the  
Southern California Association of Governments ("SCAG"); and

WHEREAS, from 1992 to approximately 2004, SCRAA continued its  
planning efforts and focused its mission on shifting future regional aviation demand  
from LAX to outlying airports such as Palmdale and Ontario, supporting an "airport  
without runways" proposal to build a high speed rail system to run from Anaheim to the  
Inland Empire airports and ultimately to Las Vegas, and becoming involved in the LAX  
Master Plan and a proposed airport at the former El Toro Marine Corp Air Station in  
Orange County; and

WHEREAS, in approximately 2004, SCRAA, as an organization became  
largely inactive, although the Joint Powers Agreement remained intact; and



1 WHEREAS, in June 2006, City of Los Angeles Mayor Antonio R.  
2 Villaraigosa, Los Angeles County Supervisor Don Knabe, Los Angeles City Councilman  
3 Bill Rosendahl, and Congresswoman Jane Harman announced plans to reactivate  
4 SCRAA to "accomplish [its] goal of regionalizing air traffic and making airports better  
5 neighbors to [their] residents, while maintaining a vital economic engine for the entire  
6 community"; and

7 WHEREAS, the City of Long Beach, together with other local  
8 governments and stakeholders was asked to participate in the reformulization and  
9 revitalization of the SCRAA organization and was further asked to participate in various  
10 workshops and submit written comments regarding appropriate revisions to the SCRAA  
11 Joint Powers Agreement, with particular emphasis on the "mission" and "purpose" of the  
12 organization; and

13 WHEREAS, City of Long Beach Mayor Bob Foster did submit letters of  
14 comment on January 2, 2007, and February 28, 2007, setting forth the City's  
15 preliminary comments, requests and suggestions in regard to the reformulization of  
16 SCRAA and the amendment to various provisions of the JPA;

17 NOW, THEREFORE, the City Council of the City of Long Beach resolves  
18 as follows:

19 Section 1. SCRAA should re-define its mission to clearly state its goal of  
20 supporting growth at airports only in instances where the growth is desired by the  
21 airport operator and surrounding communities.

22 Sec. 2. SCRAA should revise its Joint Powers Agreement (JPA) to  
23 ensure appropriate, broad-based participation, including a role for all commercial airport  
24 operating entities, including the City of Long Beach.

25 Sec. 3. SCRAA should eliminate from its JPA any ability to acquire  
26 property through eminent domain or any ability of SCRAA to operate airports.

27 Sec. 4. The City of Long Beach should be invited to join as a permanent  
28 voting member of SCRAA.

1           Sec. 5. The City of Long Beach suggests that strong consideration be  
2 given to dissolving the existing SCRAA JPA, given that the JPA governance structure  
3 is, in-and-of-itself, a cause of many of the concerns expressed by interested  
4 stakeholders. The JPA should be replaced with a "structured MOU." Such an  
5 organizational structure conforms to the recommendation of a SCAG consultant study  
6 authored in 2005 which analyzed various governance options to implement  
7 regionalization of air traffic as envisioned in the 2004 Regional Transportation Plan.

8           Sec. 6. In the event that the JPA organizational structure is retained, the  
9 City is supportive of the "Membership and Governance" Option IV language in the  
10 "Proposed Revision" (as distributed by SCRAA staff at the February 8, 2007,  
11 "Informational Workshop") which provides for "one additional voting Board member  
12 from each municipality or other local government entity that owns, operates, or hosts a  
13 commercial airport in Southern California."

14           Sec. 7. The City is supportive of the "Membership and Governance"  
15 Option V component of the "Proposed Revision" that would include "other committees"  
16 of experts/advisors as non-voting members, in order to broaden the base of problem-  
17 solving participation.

18           Sec. 8. The City is supportive of the "Reaffirmation of the Ability of Each  
19 Airport Operator to Freely Manage its own Airport" provision of the "Proposed Revision"  
20 which states, in part, that "charter cities that operate airports shall not be affected by  
21 SCRAA without their consent," and suggests that a provision be added "allowing an  
22 airport operator to veto an aviation plan or other planning action that it believes  
23 adversely affects its own airport."

24           Sec. 9. The "recitals" as set forth on page 2, and as further elaborated  
25 upon in Section 5 of the existing JPA (relating to "appropriate non-exclusive powers"),  
26 should be amended to eliminate any reference to acquiring or operating existing  
27 commercial air carrier and general aviation airports (i.e., eminent domain), entering into  
28 agreements for the use or acquisition of airports owned by state or federal

1 governments, or allocating air carrier service and use among airports. Instead, the  
2 "purpose" and "powers" of the newly reformulated SCRAA should be fully articulated  
3 and should contain a clear definition of the phrase "regionalization of Southern  
4 California Air Commerce."

5           Sec. 10. The amended JPA should recognize the importance of existing  
6 community agreements and operational ordinances such as the City of Long Beach's  
7 "Airport Noise Compatibility Ordinance" which regulates operation and noise limits at  
8 the Long Beach Airport.

9           Sec. 11. The JPA should be amended to grant all voting members the  
10 unilateral right to veto any consulting contract or proposed scope of work that is  
11 contrary to preexisting ordinances or community commitments relative to the operation  
12 of a local airport.

13           Sec. 12. The JPA should be amended to grant all voting members the  
14 unilateral right to veto any lobbying activity related to legislation or regulatory action that  
15 is inconsistent with that member's preexisting commitments relative to the operation of  
16 its airport.

17           Sec. 13. The JPA should be amended to give any airport operator/host  
18 explicit veto power over any SCRAA action to re-activate previously divested powers  
19 relative to eminent domain and the operation of airports.

20           Sec. 14. The JPA should be amended to specifically state that neither the  
21 JPA nor any member of the JPA will undertake any action, lobbying, or legislation that  
22 would in any manner be inconsistent with the existing or future airport operational  
23 restrictions of any other JPA airport operation/host member. This would include, but  
24 not be limited to, the City's "Airport Noise Compatibility Ordinance" which regulates  
25 capacity and noise limitations at the Long Beach Airport.

26           Sec. 15. The provision of the current JPA (Sec. 3(e), at p. 5) relative to  
27 the requirement that the JPA cannot be amended without the "unanimous mutual  
28 consent" of each member should be retained.



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City Clerk